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December 31, 2007

Hon. Gerard E. Lynch
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 910
New York, NY 10007

VIA ECF

Re: Tarlowe and Jonas o/b/o Jonas v. NYC Board of Education, 07 Civ. 7936

Dear Judge Lynch:

I write to request that the Court accept the filing of Plaintiff's Motion for Summary Judgment and documents on December 31, 2007. I attempted to log on to the ECF system on multiple occasions on Friday, December 28, 2007, however, was unable to do so. The ECF Help Desk confirmed that the system was unavailable at that time. I made no fewer than six attempts to log on throughout the day, but was unable to do so. In the late afternoon a message was posted on the Southern District's website informing the bar that the ECF system was temporarily unavailable.

The system has recently come back online, and I request that the Court accept the filing of this document at this time, without prejudice to the Plaintiffs. A copy of all documentation was served on counsel for Defendants on Friday, December 28, 2007, in a timely fashion.

Thank you,


JESSE COLE FOLEY

Cc: Andrew J. Rauchberg, Esq. (via facsimile)